

AMENDED IN ASSEMBLY MAY 4, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1104**

---

**Introduced by Assembly Members Pan and Dickinson**

February 18, 2011

---

An act to amend Section 23665 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1104, as amended, Pan. Vehicles: driving-under-the-influence (DUI).

Existing law authorizes a court to postpone the revocation or suspension of a person's driving privilege until the term of imprisonment is served if that person was convicted of certain DUI provisions, among other things, and sentenced to serve one year in a county jail or more than one year in the state prison.

This bill would instead require the ~~court~~ *Department of Motor Vehicles, upon receipt of a duly certified abstract of record of a court*, to postpone the revocation or suspension of a person's driving privilege until the term of imprisonment is served, ~~and notify the department of the postponement~~, if that person was convicted of certain DUI provisions and sentenced to ~~serve any time incarceration in a county jail or the~~ state prison.

*The bill would require the California Department of Corrections and Rehabilitation to notify the department 30 days prior to the release of an inmate whose license was suspended.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 23665 of the Vehicle Code is amended  
2 to read:  
3     23665. (a) If a person is convicted of a violation of Section  
4 20001 and is sentenced to one year in a county jail or more than  
5 one year in the state prison, the court may postpone the revocation  
6 or suspension of the person's driving privilege until the term of  
7 imprisonment is served.  
8     (b) If a person is convicted of a violation of Section 23152 or  
9 23153 and is sentenced ~~to serve time in a county jail or~~  
10 *incarceration in the state prison* under Section 23540, 23542,  
11 23546, 23548, 23550, 23550.5, 23552, 23554, 23556, 23558,  
12 23560, 23562, 23566, or 23568, ~~the court shall postpone the~~  
13 ~~revocation or suspension of the person's driving privilege until~~  
14 ~~the term of imprisonment is served and shall notify the department~~  
15 ~~of the postponement.~~ *department shall, upon receipt of a duly*  
16 *certified abstract of record of a court, postpone the revocation or*  
17 *suspension of the person's driving privilege until the term of*  
18 *imprisonment is served. The California Department of Corrections*  
19 *and Rehabilitation shall notify the department 30 days prior to*  
20 *the release of an inmate whose license has been suspended.*